

REMARKS and ELECTION

Claims 1-11 remain pending in the application. The June 9, 2006 restriction requirement suggests a four (4) way species restriction.

Applicant provisionally elects with traverse generic claims 1-4, and the species identified as claims 6, 9 and 10 (species 3).

Applicant should be entitled to examination of a reasonable number of species, yet the Office has allowed election of only one species.

And we believe there is substantial overlap in the species, which will ultimately lead to redundant searching on the part of the Patent Office. Such inefficiencies are frowned upon.

For example, each of species 2 (claims 5 and 11) and 4 (claim 7) include a decoder placed in a physical layer. See the Restriction Requirement, page 2. How can two separate species be suggested here?

And elected species 3 may place a decoder in a physical layer (or higher layer), just not in an application layer. Again we are surprised by the suggested – and separate – species.

We respectfully request reconsideration and suggest that species 2 (claims 5 and 11), 3 (claims 6, 9 and 10) and 4 (claim 7) be examined together, along with generic claims 1-4.

Favorable reconsideration and passage to issuance are solicited. In the meantime, the Examiner is invited to contact the undersigned with any questions.

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Respectfully submitted,

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